

# Advisory Neighborhood Commission 5B

1355-57 New York Avenue, Northeast  
Washington, D.C. 20002  
Voice #: 202 526-8545  
Fax #: 202 526-8262

## VOLUNTARY AGREEMENT

Made the 12<sup>th</sup> day of July, 2001, by and between Kovak's Liquors, t/a Kovak's Liquors, 1237 Mount Olivet Road, Northeast, Rel. A - renewal application Case No. 16T-01/056P, (hereinafter "Applicant"), and Advisory Neighborhood Commission 5B (hereinafter "Protestant").

WHEREAS, Applicant filed with the District of Columbia Alcoholic Beverage Control (ABC) Board (hereinafter "the Board") an application for renewal of its Retailer's License Class A for premises 1237 Mount Olivet Road, Northeast, and,

WHEREAS, Protestant lodged with the Board a protest of said application; and,

WHEREAS, the parties subsequently have negotiated in an effort to resolve the issues raised by Protestant's objections to renewal of the license, and,

WHEREAS, the parties desire to enter into a voluntary agreement, pursuant to 23 D.C.M.R Section 1513, commemorating their several agreements;


NOW, THEREFORE, the parties agree as follows:

1. Applicant will make its best efforts to keep the exterior of its premises, in a clean and litter-free condition.
2. Applicant will make its best efforts to prohibit and prevent loitering and panhandling on the sidewalk and parking lot immediately adjoining its premises. Applicant will post conspicuously no loitering signs on the exterior of the front and side of its premises.
3. Applicant's principal will endeavor to attend ANC 5B meetings on a regular basis when practicable.
4. Applicant acknowledges that failure to adhere to the restrictions recited in paragraphs 1 through 3 above, all constitute grounds for the Protestant to petition the Board for Issuance of an Order to Show Cause, pursuant to 23 D.C.M.R. Section 1513.5, to gain Applicant's compliance with the terms of this Agreement. Prior to so petitioning, however, the Protestant shall notify Applicant of any perceived violations and afford Applicant a minimum of fourteen (14) calendar days in which to address or rectify the perceived violation.
5. The parties request that the text of the instant Agreement be incorporated in an order of the BOARD granting Applicant's renewal application, conditioned upon Applicant's compliance with the terms hereof.
6. In consideration of, and reliance upon, the foregoing commitments by Applicant, Protestant requests hereby that its protest of Applicant's application for renewal of the subject Retailer's License Class A be deemed withdrawn.

**IN WITNESS WHEREOF, the parties have affixed hereunto their hands and seals on the year and day first above written.**

**KOVAK'S LIQUORS**

By: 

By:   
Rhonda Chappelle, Chairperson  
Chairperson ANC 5B

BEFORE  
THE DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE CONTROL BOARD

In the Matter of: )  
)

Kovak's Liquors )  
t/a Kovak's Liquors )  
)

Application for a Retailer's )  
Class A - renewal )  
at premises . )  
)

1237 Mt. Olivet Road, NE )  
Washington, DC )  
)

Case No. 167-01/056P

**Rhonda Chappelle, Chairperson, Advisory Neighborhood Commission 5B  
(ANC 5B), Protestant**

**Sung Chul Cho, President, Applicant**

**BEFORE: RODERIC L. WOODSON, ESQUIRE, CHAIR  
VERA M. ABBOTT, MEMBER  
ELLEN OPPER-WEINER, ESQUIRE, MEMBER  
CHARLES A. BURGER, MEMBER  
JUDY A. MOY, MEMBER  
AUDREY E. THOMPSON, MEMBER  
LAURIE COLLINS, MEMBER**

**ORDER ON WITHDRAWN PROTEST AND VOLUNTARY AGREEMENT**

This matter, having been protested, was scheduled for a roll call hearing on May 30, 2001, in accordance with D.C. Code Section 25-115(c)(5) (1999 Supp.), providing for the protestants to be heard. The Board received a timely protest letter from Rhonda Chappelle, Chairperson, ANC 5B, dated May 11, 2001.

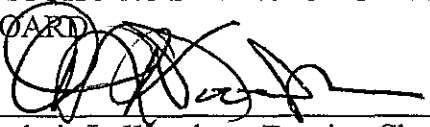
The official records of the Board reflect that the parties have reached an agreement that has been reduced to writing, and has been properly executed and filed with the Board. Pursuant to the agreement, dated July 12, 2001, the protestant has agreed to withdraw the opposition, provided, however, the Board's approval of the pending application is conditioned upon the licensee's continuing compliance with the terms of the agreement.

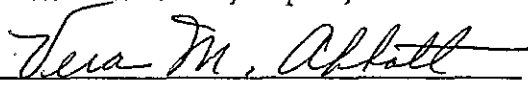
Kovak's Liquors, Inc.  
t/a Kovak's Liquors  
Page 2

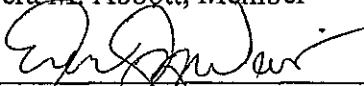
Accordingly, it is this 19<sup>th</sup> day of Sept. 2001, **ORDERED** that:

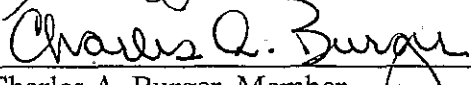
1. The opposition of Rhonda Chappell, Chairperson, ANC 5B, be, and the same hereby is **WITHDRAWN**;
2. The application of Kovak's Liquors, Inc., t/a Kovak's Liquors, for a retailer's class A license (renewal) at premises 1237 Mt. Olivet Road, NE, Washington, DC, be, and the same hereby, is **GRANTED**; and
3. The above-referenced agreement between the parties, be, and the same hereby is **INCORPORATED** and part of this **ORDER**; and;
4. Copies of this Order shall be sent to the Protestant and the Applicant.


DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE CONTROL  
BOARD


  
Roderic L. Woodson, Esquire, Chair

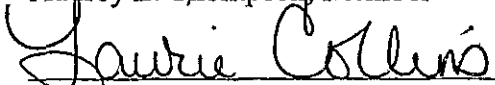
  
Vera M. Abbott, Member

  
Ellen Oppenheimer, Esquire, Member

  
Charles A. Burger, Member

  
Judy A. Moy, Member

  
Audrey E. Thompson, Member

  
Laurie Collins, Member